



**DEPARTMENT OF THE NAVY**  
**NAVAL POSTGRADUATE SCHOOL**  
**1 UNIVERSITY CIR**  
**MONTEREY, CA 93943-5000**

5720  
Ser 00C/067  
June 16, 2022

Ms. Mariam Baksh  
Nextgov  
600 New Hampshire Ave. NW 5<sup>th</sup> Floor  
Washington, D.C. 20006  
mbaksh@govexec.com

Subj: YOUR FOIA REQUEST (DON-NAVY 2022-009345)

Dear Ms. Baksh:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request submitted June 11, 2022 on FOIA online, and received by this office on January 13, 2022. Your request was assigned tracking number DON-NAVY-2022-009345. Please use this tracking number in any future correspondence concerning this request. In your expedited FOIA request, you are seeking “an electronic copy via e-mail of a Cooperative Research and Development Agreement between Microsoft and the Naval Post Graduate School.”

You also requested a waiver of all fees for this request. You based this on the fact that you are “a member of [the] news media and [are] not using [the] document requested for personal commercial purposes”. Under limited circumstances, you may qualify for a fee waiver if, in addition to not using the requested record(s) primarily for your own commercial purposes, the subject of the requested records concerns “the operations and activities of the government” and that disclosure of the requested records would contribute significantly to “public understanding” of those operations and activities.

You did not explain how the requested records would contribute significantly to the public understanding of the operations and activities of the government. Therefore, if we determine that you do not qualify for a fee waiver, we would need to know how much in fees you would be willing to pay. Fees are determined by who performs the search for your information (clerical, professional, or executive) and who performs the review/excising of the material (clerical, professional, or executive). The hourly rate for research and review is \$24.00/hour for a clerk and \$48.00/hour for a professional. Most administrative staff at NPS fall into the professional category. Please let us know how much you are willing to pay in fees.

Please note that your FOIA request is not “perfected” until a decision on the issue of your willingness to pay fees up to a certain limit has been determined.

The Naval Postgraduate School (NPS) is currently in the process of identifying the records that are responsive to your request.

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I am the official responsible for this response to your request. If you have any questions, please contact my paralegal, Ms. Elaine MacDonald, at [elaine.macdonald@nps.edu](mailto:elaine.macdonald@nps.edu) or (831) 656-3610.

Sincerely,

S. A. MURRAY  
CDR, JAGC, USN